

DEPT. OF INSURANCE
BY Kathy Lindner

Docket No. 96A-049-INS

ORDER

Respondent.

The aggrieved party may request a rehearing with respect to this Order by filing a written petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth the basis for such relief pursuant to A.A.C. R20-6-114(B).

1 The final decision of the Director may be appealed to
2 the Superior Court of Maricopa County for judicial review
3 pursuant to A.R.S. §20-166.

4 EFFECTIVE this 7th day of May, 1996
5

6 Chris Herstam

7 Chris Herstam
8 Director of Insurance

9 A copy of the foregoing
10 mailed this 7th day of
11 May, 1996

12 Charles R. Cohen, Deputy Director
13 Gregory Y. Harris, Executive Assistant Director
14 John Gagne, Assistant Director
15 Maureen Catalioto, Supervisor
16 Arnold Sniegowski, Investigator
17 Catherine O'Neil, Assistant Director
18 Department of Insurance
19 2910 N. 44th St., Suite 210
20 Phoenix, AZ 85018

21 Kathryn Leonard
22 Assistant Attorney General
23 1275 West Washington
24 Phoenix, AZ 85012

25 Office of Administrative Hearings
26 1700 West Washington, Suite 244
27 Phoenix, AZ 85007

28 Harold Kletsky
P.O. Box 9285
Scottsdale, AZ 85252

Katherine Leonard

1 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

2
3 In the Matter of

No. 96A-049-INS

4
5 **HAROLD KLETSKY,**

**RECOMMENDED FINDINGS OF
FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

6 Respondent.

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9 On March 29, 1996, an Order Summarily Suspending License and Notice of
10 Hearing was issued in this matter with an effective date of April 1, 1996.

11 The Notice required Harold Kletsy to provide a written answer to the
12 allegations set forth in the Notice within ten days of the issuance of the Order.

13 On April 26, 1996, counsel for the Department filed a Request for Default,
14 Form of Order and Notice of Filing Form of Order. As of this date, Harold Kletsy has
15 not responded to the Department's request. Pursuant to A.A.C. R20-6-106(C), a
16 party that fails to file an answer within the time provided shall be deemed to be in
17 default and one or more of the allegations in the Notice of Hearing may be deemed
18 to be admitted.

19 **FINDINGS OF FACT**

- 20 1. Notice was proper.
21 2. Harold Kletsy is in default.
22 3. The allegations in the Order are deemed admitted.

23 **CONCLUSIONS OF LAW**

24 1. The conduct alleged in the Order constitutes grounds for the Director to
25 suspend, revoke or refuse to renew the licenses to transact insurance in Arizona,
26 within the meaning of A.R.S. §20-316(A).

27 2. The conduct alleged in the Notice constitutes grounds for the Director
28 to impose a civil penalty pursuant to A.R.S. §20-316(C).

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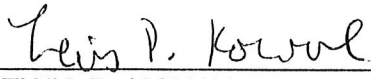
RECOMMENDED ORDER

Based on the above, the undersigned Administrative Law Judge recommends that:

All insurance licenses held by Harold Kletsy are revoked effective upon the issuance of the Director's Order.

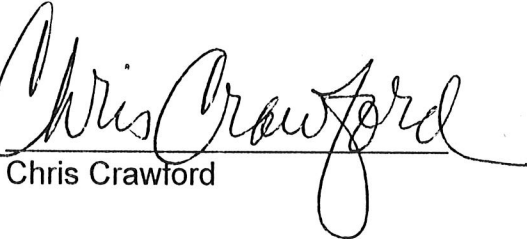
DATED this 30th day of April, 1996.

OFFICE OF ADMINISTRATIVE HEARINGS


LEWIS D. KOWAL
Administrative Law Judge

COPY of the foregoing mailed/delivered
this 30th day of April, 1996, to:

Chris Herstam, Director
Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, AZ 85018


Chris Crawford